

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: ESTATE OF MICHAEL BURKLUND,	:	CIVIL ACTION
	:	
GABRIEL BURKLUND	:	
Plaintiff,	:	
	:	
v.	:	
	:	
DORLEEN BURKLUND, et al.,	:	No. 11-5024
Defendants.	:	

ORDER

AND NOW, this 28th day of January, 2013, upon consideration of “Plaintiff’s Second Motion for Summary Judgment” (Doc. No. 23), and the response and reply thereto, and for the reasons stated in the Court’s accompanying Memorandum Opinion, it is hereby **ORDERED** that:

1. Plaintiff’s Motion (Doc. No. 23) is **GRANTED**. Plaintiff, Gabriel Burklund, is entitled to the insurance proceeds under the life insurance and accidental death policy, issued by Defendant, Metropolitan Life Insurance Company, Inc. (MetLife) on the life of Michael Burklund.
2. The June 17, 2011 Order of the Honorable C. Theodore Fritsch of the Court of Common Pleas of Bucks County, Pennsylvania, enjoining MetLife from distributing the insurance proceeds is hereby **DISSOLVED**. See 28 U.S.C. § 1450 (“All injunctions, orders, and other proceedings had in [a state court] action prior to its removal shall remain in full force and effect until dissolved or modified by the district court.”); (Doc. No. 12, Ex. F.)

3. Metlife shall distribute to Plaintiff the insurance proceeds under the life insurance and accidental death policy on the life of Michael Burklund, in accordance with plan documents, within fourteen (14) days of the date of this Order.
4. The Clerk of Court shall mark this case **CLOSED** for statistical purposes.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.